

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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AVITA DRUGS, LLC, PHARMBLUE SERVICES,  
INC., and PHARMBLUE LLC,

Plaintiffs,

v.

WESTIN SMITH,

Defendant.

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Civil Action No. 2:21-01000-  
WSH

**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE  
OF DEFENDANT WESTIN SMITH  
PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)**

Notice is hereby given that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), plaintiffs Avita Drugs, LLC, PharmBlue Services, Inc., and PharmBlue LLC voluntarily dismiss with prejudice the above-captioned action against defendant Westin Smith.<sup>1</sup>

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<sup>1</sup> Defendant Smith is the sole remaining defendant in the action. Plaintiffs' motion for leave to file the Third Amended Complaint to add PharmlytIQ, LLC, Physicians Rx Pharmacy LLC, and Meir "Shim" Sacks (ECF No. 117) is hereby withdrawn, and Plaintiffs respectfully ask the Court to dismiss the action in its entirety.

Dated: June 8, 2022

AVITA DRUGS, LLC, PHARMBLUE  
SERVICES, INC., and PHARMBLUE LLC

By their attorneys,

/s/ James S. Yu

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### **CERTIFICATE OF SERVICE**

I hereby certify that on June 8, 2022, a copy of the foregoing document was filed electronically through the Court's electronic filing system ("ECF system"). Notice of this filing will be sent by operation of the Court's ECF system to all parties indicated on the electronic filing receipt.

/s/ James S. Yu  
James S. Yu